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AUG 11 2005

OFFICE OF PETITIONS

In re Application of
Terepka
Application No. 10/613,910
Filed: July 3, 2003
Attorney Docket No. TD32/01

Decision on Petition

This is a decision in response to the paper filed May 20, 2005, which is being treated as a petition under 37 CFR 1.53(e)(2), to establish that page 2 of the specification was part of the originally filed application.

The petition is **dismissed**.

The application was filed on July 3, 2003.

On May 13, 2005, a Notice was mailed stating that page 2 of the specification did not appear to be included as part of the application filed.

The papers filed May 20, 2005, allege paper 2 was filed on July 3, 2003. However, evidence concerning page 2 will not be considered since a petition fee of \$400 has not been paid. Prior to filing a request for reconsideration and the fee of \$400, petitioner may wish to review the itemization requirements for postcards listed in MPEP 503.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(a)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

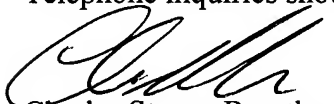
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306
Attn: Office of Petitions

Unless a request for reconsideration is filed, the Office will process the application without page 2 of the specification and the examiner will consider for entry the new copy of the specification filed on May 20, 2005.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
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Office of Petitions